

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



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TO: Coastal Commissioners and Interested Persons

FROM: Deborah Lee, Senior Deputy Director, South Coast District
Teresa Henry, Manager, South Coast District
Karl Schwing, Supervisor, Regulation & Planning, Orange County Area
Anne Blemker, Coastal Program Analyst

SUBJECT: **Newport Beach Land Use Plan Update - Concurrence with the Executive Director's determination that the action of the City of Newport Beach accepting certification with suggested modifications of the City's LUP Amendment 1-04 is legally adequate.**

STAFF RECOMMENDATION

Staff recommends that the Commission concur with the Executive Director's determination that the City's action is legally adequate. Such concurrence is implied unless there is an objection by a majority of the Commissioners present.

BACKGROUND

The Commission approved the City of Newport Beach's Land Use Plan Amendment 1-04 with suggested modifications at the public hearing held in San Diego on October 13, 2005. The amendment consists of a comprehensively updated Land Use Plan (LUP) that replaces the previously certified LUP, which was certified in 1982 and again with an update in 1990. The City has reorganized the LUP, rewritten the narrative, and substantially modified each policy section. The updated LUP consists of five chapters: Introduction, Land Use and Development, Coastal Access and Recreation, Coastal Resource Protection, and Glossary. Certification of the LUP is the first part of the City's effort to gain Local Coastal Program (LCP) certification. The City is currently working on an Implementation Plan (IP), which will be submitted later this year.

The City of Newport Beach accepted, and agreed to the Commission's suggested modifications by passing resolution 2005-63 on December 13, 2005, incorporating the Commission's suggested modifications into the City's certified Land Use Plan (attached).

The City provided a revised version of the modified Land Use Plan integrating the changes that were adopted through this LUP amendment. The updated document reflects the suggested modifications as they were transmitted to the City in the Commission's letter to the City dated October 27, 2005.

As provided for in Section 13544 of the California Code of Regulations, the Executive Director must determine whether the City's action is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the City's action is legally adequate. Unless the Commission objects to the Executive Director's determination, the certification of the City of Newport Beach LUP Amendment 1-04 shall become effective.